

Attorney Docket No. 53588-0025

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Confirmation No.: 5428
John Philip PETTITT :
Serial No.: 09/442,106 : Group Art Unit: 3625
Filed: November 17, 1999 : Examiner: Yogesh C. Garg

FAX RECEIVED

JUN 21 2005

OFFICE OF PETITIONS

For: METHOD AND SYSTEM FOR DETECTING FRAUD IN A CREDIT CARD
TRANSACTION OVER A COMPUTER NETWORK

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BY FACSIMILE—(571)-273-0025

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the
United States Patent and Trademark Office at Fax No. (571) 273-0025,

on June 21, 2005

by


Teresa Austin

**** Immediate Review Requested—Patent Issue Date is Set for June 28, 2005 ****

PETITION TO WITHDRAW APPLICATION FROM ISSUANCE

(37 C.F.R. § 1.313(c)(2))

WITH RCE AND INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant hereby respectfully petitions the Commissioner to withdraw the above-referenced application from issuance as a patent, under 37 C.F.R. § 1.313(c)(2), to allow the Examiner to consider a Request for Continued Examination (RCE) and a previously submitted Information Disclosure Statement. In support of this Petition, Applicants submit:

1. **Fee.** For the applicable petition fee of \$130 under 37 C.F.R. § 1.17(h), the Commissioner is hereby authorized to charge our Deposit Account No. 50-1302. A fee transmittal form is submitted concurrently herewith.

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ALEXANDRIA, VA 22313-1450

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2. **Statement of Good Cause.** Pursuant to 37 C.F.R. § 1.313(a), Applicant submits the following showing of good and sufficient reasons why withdrawal of the application from issuance is necessary.

Applicants submitted an Information Disclosure Statement with Certificate of Mailing under 37 CFR 1.8 on December 10, 2004, with Form PTO-1449 and 27 references (see copy attached). The OIPE mailed Applicants a postcard acknowledgment receipt on December 13, 2004 indicating receipt of the paper and references. However, Applicants have not received an initialed copy of the Form PTO-1449 indicating consideration of the IDS. Applicants have received such initiated copies for all other IDSs filed in the case. Consideration of the IDS is in the public interest. This petition is made to allow sufficient time for the Examiner to consider the IDS and return the initialed form.

3. **RCE.** A request for continued examination in compliance with 37 C.F.R. § 1.114 and with the appropriate fee is submitted concurrently herewith.

Based on the foregoing, it is respectfully submitted that Applicants have shown good and sufficient reasons why it is necessary to withdraw the application from issuance as requested. Applicants respectfully request the Commissioner to grant the petition.

Please address any questions to the undersigned at (408) 414-1080 ext. 202.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Christopher J. Palermo
Registration No. 42,056

Date: June 21, 2005

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FACSIMILE**OFFICE OF PETITIONS****FROM:**

Attorney: Christopher J. Palermo Direct Phone: 408-414-1080 ext 202
Attorney's E-Mail: cpalermo@hptb-law.com Sender's Fax: San Jose, CA (408) 414-1076
By Secretary: Teresa Austin Direct Phone: 408-414-1080 ext 217
Re: RCE, Petition to Date: _____ Time Sent: _____
Withdraw Application
from Issuance June 21, 2005

Serial No. 09/442,106, filed November 17, 1999

Number of pages including this page: 11**TO:**

Department	Company	Facsimile No.	Contact No.
Office of Petitions	United States Patent and Trademark Office	571-273-0025	

IMMEDIATE ATTENTION IS REQUESTED**OFFICIAL COMMUNICATION INTENDED FOR ENTRY****ENCLOSURES:**

Fee Transmittal with authorization to charge deposit account (1 pg)
Petition to Withdraw Application from Issuance (2 pgs)
Request for Continued Examination (RCE) Transmittal (1 pg)
Copy of Previously submitted Information Statement with Form PTO 1449 and
Acknowledgment Receipt (6 pgs)

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PTO/SB/17 (12/04)

Approved for use through 09/30/2005. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL **for FY 2005**

Patent fees are subject to annual revision.
 Small Entity payments must be supported by a small entity statement,
 otherwise large entity fees must be paid. See Forms PTO/SB/09-12
 See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$) 920.00

Complete If Known
Application Number 09/442,106

Filing Date November 17, 1999

First Named Inventor John Philip PETTIT

Examiner Name Yogesh C. Garg

Group/Art Unit 3625

Attorney Docket No. 53588-0025

OFFICE OF PETITIONS
METHOD OF PAYMENT (check one)

1. ☒ Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302

Deposit Account Number 50-1302

Deposit Account Name Hickman Palermo Truong & Becker, LLP

2. ☒ Charge the above Deposit Account for all fees relative to this transmission:

☐ Check ☐ Money Order ☐ Other

3. ☐ Applicant(s) is entitled to small entity status.
 See 37 CFR 1.27.

FEE CALCULATION (continued)
FEE CALCULATION
1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1011	300	2011	150	Utility filing fee	300.00
1111	500	2111	250	Utility Search fee	500.00
1311	200	2311	100	Utility Examination fee	200.00
1081	250	2081	125	Utility Application Size Fee	
1005	200	2005	100	Provisional Application Fee	
1085	250	20835	125	Provisional Application Size Fee	
SUBTOTAL (1)					(\$) 1000.00

2. EXTRA CLAIM FEES

	Highest Paid Claims	Extra Claims	Fee from Below	Fee Paid
Total Claims	20**		\$0.00	= 0.00
Independent Claims	3**		200.00	= 0.00
Multiple Dependent				=

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	380	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	**Reissue independent claims over original patent
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1504	300	2504	300	Publication Fee	
1462	400	1462	400	Petitions Director not specifically provided for Group I	
1463	200	1463	200	Petitions Director not specifically provided for Group II	
1464	130	1464	130	Petitions Director not specifically provided for Group III	
1806	180	1806	180	Submission of information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify): Request for Continued Examination					790.00
Other fee (specify): Petition to Withdraw Application from Issuance					130.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)
(\$) 920.00

SUBMITTED BY
Name (Print/Type) Christopher J. Palermo

Registration No. (Attorney/Agent) 42,056

Telephone (408) 414-1080

Signature

Christopher J. Palermo

Date

June 21, 2005

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